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THURSDAY, OCTOBER 18, 1866.

The People's Voice Upon the Great

Question of the Day. THE chief significance of the October elections is not so much that the people have repudiated the President's policy of reconstruction, as that they have denied his right to have any policy at all upon the subject. The President may lawfully "advise" Congress as to what he thinks necessary for the welfare of the country, but the Constitution, neither in letter nor in spirit, allows him to actually inaugurate a policy upon any subject connected with the Government, and still less to attempt through the exercise of his official power and influence to force that policy upon the country. All policies in our system of government must spring from the people. They are with us the source of all power. They have expressly reserved to themselves the right, through their representatives, to make the laws upon all subjects whatsoever. It is quite possible for a King or an Emperor to enact good laws. A President might also, if he had the power. A very wise and good President might even pass better laws than a poor Congress would. But under our form of government we have preferred to risk the people themselves rather than any one man. That is our system, and by it we must abide. Hence, if Mr. Johnson's plan of reconstruction were a thousand-fold more wise and just than it is-were it really as superior to that of Congress as he and his friends think it to be, still he would have no right to put it in execution, for he is not the law-making power, while Congress is.

It is easy to see that this fundamental question must first of all be settled. It admits of no possible compromise. Congress may, if it sees fit, change its plan of reconstruction, but it cannot possibly yield the point that to it and to it alone the work of reconstruction belongs. The President's adherence to his "policy" is an adherence to his claim to exercise legislative functions. That claim cannot be admitted. It would be a precedent fatal to the very essence of our form of government.

That his "policy," or in other words his work of reconstruction, is legislative in its character, is perfectly evident from several considerations-First, because by it he claims to have done something having the force and sanctity of law. If it were an executive work, there would be some law in accordance with which the work had been done. But there is none. Hence it is not executive.

Secondly, the entire work has been done in accordance with rules and regulations prescribed by the President. Now, these rules and regulations are nothing else but laws, and under these laws, passed not by the lawmaking branch of the Government, but prescribed by the flat of the Executive, the important work of reconstructing the State Governments-the civil corporations-of the South has been done.

It is no reply to this, to say that the President did this work under the war power; for it has all been done since the surrender of the Rebel armies, and as a permanent work calculated for purposes of government in times of peace. Besides, the wildest stretch of the war power never extended it to the making of State Governments. In the very height of the Rebellion, it was never for a moment contended that the war power extended to work of this sort. In the hour of extremest peril. Congress still remained the sole lawmaking power in the Government.

Nor is it any reply to say that the work was one necessary to be done. Grant it; but Congress was the body to do it. So important a crisis -so extraordinary an occasionnever before occurred in the history of our Government, as when, by the overthrow of the Rebellion, eleven States were left totally disorganized and destitute of all civil government. Congress should have been instantly assembled in extra session, and the whole matter submitted to its discretion.

Instead of following this self-evidently, wise and constitutional course, President Johnson and Secretary Seward undertook to manage the business themselves without consulting the people. They violated the Constitution in everything that they did, making rules and regulations which only Congress could lawfully make, and assuming that highest legislative prerogative of creating State Governments, which they declared to be already admitted to the Union and entitled to repre

sentation. This whole business has been a bold, persistent, and utterly inexcusable usurpation of the rights of the people. It there was ever a subject upon which the people had a right to be heard, this is one. If there was ever a time when the function of legislation was important, it is now. No subject even approaching in importance that of the reconstruction of the Government after this great revolution has ever been before the American people. To attempt to deprive them of all voice in the settlement of so momentous and far-reaching issues is the height of criminality. Tariffs and measures of finance are mere trifles compared with this subject. Hence, as we have already said, no compromise of this question is possible. I he people's right over the subject of reconstruction is solitary and supreme, and they insist upon exercising it. Whoever ventures to stand in their way does so at his

How a Democratic Organ Subserves our Business Interests.

OUR Democratic contemporary, the Age, is much given to parading its devotion to what it terms the "business interests" of this city; said "devotion" consisting mainly in mercenary, though fortunately unavailing, appeals to our business men to vote the Democratic ticket. It has a characteristic article this morning, in which it professedly appeals to Southern traders not to discard our city, even though it did go for the Republican ticket. How much genuineness there is in all this political harping upon matters of trade may be seen in other articles in the same issue of the paper in question, in which the Republican party, which numbers among its members and supporters a very large majority of all the capitalists, manufacturers, and business men generally of our city, is stigmatized in such choice terms and with such slight charges as the following :-

"Aspiring and unprincipled demagorues, who are willing to inaugurate a civil war in the North, and light their way to power with the flames of burning cities and consuming homes!"

"Threats of using the block and the axe' to rethe constitutional head of the Government "To plot treason, disturb the peace and repose of

the country at home, and, as a consequence, under-mine and injure its credit abroad." 'That revolutionary torch which the radicals are holding up when they threaten to depose and murder the Fresicent, it he will not yield the control of the Government into their hands before the assembling of the coming Congress.

"Could such a majority save the leaders of the torch and turpentine" faction from the indignation of the free men of this State, if they attempt to murer the President, and seize upon the rous of gove

"It General Geary should presume to use the arms and power of the State to aid the radical traitors in their work or overthrowing the republic and placing despot at the White House instead of a man elected by the people." "When the 'torch-and-turpentine' faction talk

about disregarding the Constitution and laws of the land, and taking hold of the Government by force. "When the radicals shall dare to uprear the black banger of open resistence to the Constitution, and what the axe and prepare the block to remove all obstacles from their path to uncontrolled power."

These are the choice utterances of a paper which pretends to be laboring to build up the business interests of Philadelphia! These are specimens of the charges it daily makes against a majority of the capitalists, merchants, bankers, and manufacturers of our city! This is the light in which they are held up before the South, to secure its trade! How thankful our citizens ought to be to this self-constituted champion of our interests! How calm, how unprejudiced, how truthful its utterances! How business ought to rush in upon us from e 7ery quarter where it circulates!

The truth is, it is the malignant and utterly false and atrocious tone maintained by such fanatical organs of the extremest wing of the Democratic party as our contemporary, that prevents a feeling of entire hopefulness and security from pervading business circles. It is because these malcontents and political incendiaries are determined not to yield to the voice of the people, that agitation does not cease. The Republican party is not a party offrebellion and lawlessness and anarchy. It stands upon the Constitution and the laws, and insists upon a faithful obedience to them. It seeks for order, peace, and security. It is that organization through which the people saved the Government from overthrow by a rebellion organized and carried on by the leaders of the Democratic party, and it is that organization through which the people have chosen to perfect the great work of reconstruction. The insane ravings of a fanaticism as disloyal to freedom and good government as it is destructive of order and material prosperity, will not deter this great party from the accomplishment of the work which Providence and the people have committed to its hands.

Probable Ability of the Fortieth Congress. TRE Fortieth Congress of the United States bids fair to be the ablest of any which has ever assembled at the capital. We make this assertion without knowing who are going to be elected, but merely upon the strength of what evidence has been already submitted to the public. Almost every member of the Thirty-ninth Congress has been renominated. The great mistake of the North previous to the war, and one which the South was not slow to avail itself of, was the desire of the constituencies of the tree States to be continually represented by some new man. It was seldom, if ever, that any Nor.hern member of the House was returned more than twice, and it was no exception to the general rule for a district to change its representative at each election.

The South, on the other hand, when once they secured an able, faithful, and efficient member, kept him in his seat as long as he would remain. It was customary for a man to be returned for ten years in nearly all the Southern States; and when once a gentleman qualified for public position was found, he was never allowed to retire into private life. The consequences of such a course were at once evident-the Southern members had far more influence at the capital than our own. Nor was it unnatural. By years of public employment they became familiar with all the intricate and various windings of the way to official favor, and could at once reach the proper channel through which to gain an end. A Northern member, however, fresh from home, knew nothing of the proper person to see, in order that the wants of his constituents should be attended to. He would stumble for a year in the slough of experience, and just as he had become experienced, would be recalled, and some other new hand set at his work. Northern gentlemen going to the capital were disgusted with their Representative, and drew "odorous comparisons" between them and the Southern members, totally forgetting that the people and not the Representatives were responsible for all the errors entailed by inexperience.

This error on the part of the North has | is credited with. His vocalization was better now been corrected. The Fortieth Congress will be composed of men of experience-men who have had years of duty at Washington, and understand thoroughly the way in which red tape seeks "how not to do it." In the elections of October, sixty members were chosen, of whom over forty-five have been in Congress before, and are well versed in all the duties of the position. In our own State but few changes were made, only five new members being selected; while in our city we send back Messrs, Randall, O'Nelll, and Myers for their sixth year, and Judge Kelley for his eighth. This is what should have been done for years. It is what gives power to a State, If a man comes up to the requisites set down by Jefferson-if "he be capable, it he be honest, and true to the Constitution"-let him be kept in his seat as long as he will hold it, for every year he becomes better fitted to fulfil the wants of those he represents.

It is because of the extensive renomination of present members that we feel confident that the Fortieth Congress will be renowned for its ability. In addition to this, we see the people of all the districts nominating their best men, men of national reputation, who would not, were not the country in danger, accept of a seat in the House of Representatives. Massachusetts will send Banks, Butler, Boutwell, and a herculean delegation; while in New York city we notice that Greeley represents the editorial fraternity, and all those placed in nomination by the radicals are men of high standing. With the prospect of having such a Congress, we will not despair of the republic.

The Difference.

THE Republicans in one of the city districts of New York have nominated Horace Greeley, the editor, historian, philosopher, and philanthropist as their candidate for Congress. The Democrats, on the other hand, of one of the districts in the same city, have nominated as their candidate John Morrissey, the notorious pugilist and gambler. Could anything more clearly indicate the character of the two parties, and theinfluences upon which they rely for success?

WHY NOT?-We have heard for some months of the intention of the Government to place our United States securities on the Paris Bourse, and thus open a new field for the sale of our bonds. As yet we have no indication that the design has been accomplished. Great Britain, with a stupidity truly English, declines to deal in any form of securities except the Five-twenties. We do not apprehend any such difficulty in France. As it at present stands, the 'Change of London seems to have a monopoly of United States issues. Let us have this reformed. What is needed emphatically is the reduction of all our varied loans to a common basis, to a funded debt. When that is arranged there will be no confusion, and the reign of British monopolists will be over.

The Opera Last Night.

"FRA DIAVOLO"-RONCONI'S SECOND APPEARANCE. Auber is the "Prince of French composers," He is living in affluence and elegance in Paris, and although eighty-five years of age, is said to be hearty, and in the full possession of all of his remarkable faculties. This great composer was so completely charmed with the performances of Giorgio Ronconi and Adelina Patti in his chef dauvre at the Grand Opera, Paris, about a year ago, that he determined to reconstruct his great work-Fra Diavolo-expressly for his favorite executive artists. He has done his work well. The opera as presented last night exhibited no startling brilliancy, but the music is modernized, and the details are systematized to a degree that renders the action bolder without marring the beautiful and sparkling music. The "gems" are toned down to a nicety, and although the strains are as familiar as ever, many excrescences, that were always of doubttul value, have been ostracized. The opera now is, in every respect, a nob e work, and will live forever as a monument to the great genius of its author. The cast of Fra Diagolo last night was dis-

tinque, comprising the following aatists:-orenzo. Signor Bernard Giacome.....Signor Fossatu Beppo....Signor Dubremi

Kellogg and Testa appeared to a better advantage last evening than upon any previous ecasion, we think, and they fairly divided the honors of the great triumph which was attained by the entire troupe. Miss Kellogg sang in the sweetest style throughout the opera and her generai performance was so perfect and pleasing in execution that the audience, engrossed in her delightivl recitative vocalism, missed several opportunities for obtaining "encores." In the econd act Miss Kellogg created great enthusiasm, and exhibited an exalted taste and really elegant finesse. She is, indeed, a prima donna of whom Americans have just cause to be proud. Testa was also superb, and the care and feaity with which she executed her difficult part were fully appreciate l. She looked vers pretty, and acted her role with extraordinary neatness and appropriateness. Her voice is very sweet and sympathetic, and has sufficient

imbre for premiere roles. Of Giorgio Ronconi we can only say that he made to us an entirely new creation of "Lord Rocharg." His acting was matchless and his humor electrifying. We never witnessed so great a contrast as that which forced itself upon us last night when viewing Ronconi as "Milord," and recollecting him as "Crispino." The transformation was wonderful. Ronconi looked the picture of the cockney. He had all the vetdancy, eccentricity, joility, obstinacy, and drollery of the English snob, travelling in an unknown land, where everything is suspicious that is not Anglo-Saxon. Ronconi lived his character throughout the evening, and never once allowed bimself to forget for a moment the requirements of his row. It was indeed the finest piece of musically expressed carleature we have ever witnessed. It was a perfect and even performance throughout, and fully stamped konconi worthy of the immense reputation he

than on Monday evening, and his intonations were managed with remarkable skill.

Mazzoleni made a fair hit in Fra Diavolo. He ang with unusual spirit, and acted his role in excellent style. The songs in the first and second acts, and the romanza in the third act, were vociferously applauded and repeated for

Signor Bernardi, as "Lorenzo," was in excellent voice, and is rapidly becoming a favorite. His aria in the third act was encored and re-

Signors Fossatti and Dubreuil were very good as "Giacomo" and "Beppo," and in the imitative duett in the third act were admirable. This was called for en encore and repeated, producing much merrinent.

We have space here only to say that the choruses were executed in excellent style, and were each applauded.

We come now to the practical part of our critique. The audience at the Academy of Music last night was neither large nor brilliant. The house was only about half-full. The complaint was general that the prices were exorbitant, and we must confers to a similar opinion. The management must reduce their price for seats to \$1 and \$1.50, or they will lose a great deal of money during this season. As there are not a great many season ticket holders, we presume that no serious objection would be raised by them to this change. To the people we would advise a most liberal encouragement to this troupe-the best that has ever visited Philadelphia. Our friends must overlook the fact that for a dollar the "Knight of Manhattan" has his seat at the opera, always, while the "Quaker citizen" has to pay two dollars for his 'whistle," We must have Italian opera; we must pay for it; but we will not pay for any losses sustained in New York.

To-night the sublime opera of La Sonnambula is announced. It has not been performed here for several years, and we doubt not that it will attract a very large audience.

Miss Amalia M. Hauck will make her debut as 'Amina," and Signor Baragli will make his first appearance here as "Elvino." Miss Hauck created a furore at the Brooklyn Academy on last Monday evening, where she achieved a perfect success in "Amina."

Here is the cast this evening:-

PERSONAL,-Miss Kate Josephine Bateman the well-known actress, who suddenly gave up her theatrical engagements after the late brief season at Niblo's, was married on Saturday last at St. Luke's Church, in Brooklyn, to George Crowe, M. D., a young physician of London, We presume this may be construed into a farcwell to the stage.

-Amongst the curiosities now exhibited at the Fair of St. Michel at Havre, is a Prussian who, with a spike helmet on his head, demonstrates the manouvres of the famous needle-cun, for the small charge of one penny. The crowd is always excessive, and the showman is making a little fortune.

SPECIAL NOTICES.

TO THE VOTERS OF THE EIGHTH LEGISLATIVE DISTRICE.

As the Union Republican Voters who recommended JOHN M. POMEROY to the Independent Voters of the District, feel that they were grossly slandered by the impuration in the "Evening But atin" of the 8th inst. that he was pledged to the support of Edgar Cowan for United States Senator, deem it proper, now that the election is over, and the excitement of the contest is passing away, to make a statement of facts connected with the movement in his favor. Mr. Pomerov, when unfairly deteated in the Convention, was not anxious to be a condidate, but expressed a preference for another gentleman named, and a willingness to support any Re. publican candidate who might be named in opposition to Kerns. He positively declined to allow his name to be used as a candidate, it the success of our political friends in the District should at any time be endan gered by the nomination of a Democratic candidate Some of his friends had known him as the supporter of Fremont in 1858, and as a reliable Republican in every contest since, and were fully satisfied to at, as a Repub ican, he could be r. lies upon in any emergency. While he would have supported no one for United States Sena or who was not tully in sompathy with the reconstrucion policy of Congress, it may not be amiss to state hat he was, we have no doubt, the author of most, it not all, the editorial articles which have appeared in the city papers-the 'Bulletin' included-within the last year, advocating the claims of Phi adelphia to the Senator.

In the Tenth Ward there is a large number of independent Republican voters who have organized for the purpose or de eating the nomination of incompetent and orrupt politicians. They are not political aspirants, and ask no tavors of the party, or the "ring-masters" who control it. When they are beaten fairly before the nominating conventions they submit, but when a candidate defeats them by corrupt measures, they will, as heretofore, use all benerable means to defeat his election. This contest between fraud and fair play at delegate elections, and in the conventions, has now only fairly commenced. In this Ward, and Legislative District, the Republican majority is so large that a nomine of their party can only be defeated by a union of the independent voters with the Democrats: and in the recent contest it was partially successful, without involving any sacrifice of principle on the part of the Republicans. The more respectable of the Bepubicans. The more respectable portion of the Den ocrats in the Ward and Bisrict, knowing that they are niterly powerless to elect a regular Democrat, prefer the election of an honorable Independent Republican to that of an unscrupilous Republican partisan; and hence having made no nomination for Representative, the intelligent portion of their party generally supported Mr. Pomeroy, for which they deserve the thanks of a lindependent hepublicans. But in five precincts out of the thirteen the opposition to him succeeded, by the application of powerful arguments, in controlling nearly if not all the precincus, by the same process of reasoning, Democratic votes were secured for him, amounting his at it is be leved, to had the Democratic vote of the District. White Mr. Pomerov's Republican vote was very large, and met mainly the anticipations of his friends, it is to be regretired that all intelligent Republicaes old not put their seal of condemnation upon a nomination obtained by such out respectively fraudulent means and thus deter any interest incompetent candidate from buying a nomination. Mr. Kerns, at the delegate election, really carried only three delegates out of the thirteen; the other iour he procured, with, perhaps one exception, by means well known to him. The Judge and linspector's in one precinc, where the Rema delagate had ten more precinct, where the Pomeroy delegate had some 80 majority, in another precinct, where the Pomeroy delegate had ten more vote than any other delegate to the Kerns delegate, and this licket was recognized by a 1 the other Conventions as being elected, vet in the Legis sites' caywention they delegate had some 80 majority, in another precinct, where the Pomeroy delegate had ten more precinct, where the Pomeroy delegate had ten more precinct, where the Pomeroy delegate had ten more precinct, where the Pomeroy delegate had the honer of the Rerns delegate in withou any investigation as a alleged had. These facts are well known to the politicated than the processory read tion of the Den ocrats in the Ward and Bisiriet, use of bonest mest taking any part in delegate elections or ever voting at all?

In the Seventh Precinct of the Tenth Ward, where In the Seventh Precinct of the Tenth Ward, where Mr. Pomercy resides and where the voters generally Mr. Pomercy resides and where the voters generally understood the position and ability of the two men, understood the position and ability of the two men, who was the passion of the position and ability of the two men, and the passion of the

C. H. NEEDLES, Secretary.

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